

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

DAVID A. LUSTER,

Petitioner,

v.

ACTING WARDEN WHITE,

Respondent.

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No. 4:18-CV-1059

(Judge Brann)

ORDER

AND NOW, this 14th day of June 2018, in accordance with the accompanying Memorandum, **IT IS HEREBY ORDERED** that:

1. Luster's habeas corpus petition is **DISMISSED WITHOUT PREJUDICE**.
2. The Clerk of Court is directed to **CLOSE** this case.
3. Based on the Court's conclusion herein, there is no basis for the issuance of a certificate of appealability.

BY THE COURT:

s/ Matthew W. Brann

Matthew W. Brann
United States District Judge